

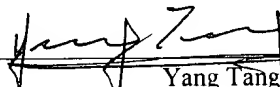


Attorney Docket No. 8325-0007.01 (S7-US2)

PATENT

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By:

  
Yang Tang

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of CASE et al.

Serial No.: 09/925,796

Examiner: J. BRUSCA

Confirmation No.: 5123

Art Unit: 1631

Filed: August 9, 2001

For: FUNCTIONAL GENOMICS USING ZINC FINGER PROTEINS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(c)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☐ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08A is enclosed.
- ☒ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 09/395,448 to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.

- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ a final action under 37 C.F.R. § 1.113;
- ☐ a notice of allowance under 37 C.F.R. § 1.113; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

- ☒ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00; or
- ☐ Statement as specified in 37 C.F.R. § 1.97(e):
  - ☐ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
  - ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.


It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: Oct 3/03

Respectfully submitted,

Robins & Pasternak LLP  
1731 Embarcadero Road, Suite 230  
Palo Alto, CA 94303  
Tel: (650) 493-3400  
Fax: (650) 493-3440

By:

  
Dahna S. Pasternak  
Reg. No. 41,411

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Complete if Known

Sheet	1	of	15	Application Number	09/925,796
				Filing Date	August 9, 2001
				First Named Inventor	CASE
				Group Art Unit	1631
				Examiner Name	J. BRUSCA
				Attorney Docket Number	8325-0007.01 (S7-US2)

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A1	4,990,607		Katagiri et al.	02-05-1991
	A2	5,096,814		Aivasidis et al.	03-17-1992
	A3	5,096,815		Ladner et al.	03-17-1992
	A4	5,198,346		Ladner et al.	03-30-1993
	A5	5,223,409		Ladner et al.	06-29-1993
	A6	5,243,041		Fernandez-Pol	09-07-1993
	A7	5,302,519		Blackwood et al.	04-12-1994
	A8	5,324,638		Tao et al.	06-28-1994
	A9	5,324,818		Nabel et al.	06-28-1994
	A10	5,324,819		Oppermann et al.	06-28-1994
	A11	5,340,739		Stevens et al.	08-23-1994
	A12	5,348,864		Barbacid	09-20-1994
	A13	5,350,840		Call et al.	09-27-1994
	A14	5,356,802		Chandrasegaran	10-18-1994
	A15	5,376,530		De The et al.	12-27-1994
	A16	5,403,484		Ladner et al.	04-04-1995
	A17	5,436,150		Chandrasegaran	07-25-1995
	A18	5,487,994		Chandrasegaran	01-30-1996
	A19	5,498,530		Schatz et al.	03-12-1996
	A20	5,578,483		Evans et al.	11-26-1996
	A21	5,597,693		Evans et al.	01-28-1997
	A22	5,639,592		Evans et al.	06-17-1997
	A23	5,674,738		Abramson et al.	10-07-1997
	A24	5,702,914		Evans et al.	12-30-1997
	A25	5,789,538		Rebar et al.	08-04-1998
	A26	5,792,640		Chandrasegaran	08-11-1998
	A27	5,869,618		Lippman et al.	02-09-1999
	A28	5,871,902		Weininger et al.	02-16-1999
	A29	5,871,907		Winter et al.	02-16-1999
	A30	5,916,794		Chandrasegaran	06-29-1999
	A31	5,939,538		Leavitt et al.	08-17-1999
	A32	5,972,615		An et al.	10-26-1999
	A33	6,001,885		Vega et al.	12-14-1999
	A34	6,007,988		Choo et al.	12-28-1999
	A35	6,013,453		Choo et al.	01-11-2000

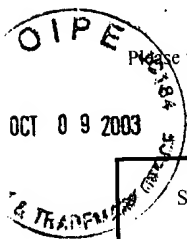
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<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

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Sheet	2	of	15
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**Complete if Known**

<b>Application Number</b>	09/925,796
<b>Filing Date</b>	August 9, 2001
<b>First Named Inventor</b>	CASE
<b>Group Art Unit</b>	1631
<b>Examiner Name</b>	J. BRUSCA
<b>Attorney Docket Number</b>	8325-0007.01 (S7-US2)

## FOREIGN PATENT DOCUMENTS

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Date  
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<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

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Sheet	3	of	15	Application Number	09/925,796
				Filing Date	August 9, 2001
				First Named Inventor	CASE
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				Examiner Name	J. BRUSCA
				Attorney Docket Number	8325-0007.01 (S7-US2)

## **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	Agarwal et al., Biochemistry 30(31):7842-7851 (1991)	
	C2	Antao et al., Nuc. Acids, Res. 19(21):5901-5905 (1991)	
	C3	Barbas, C. F., Curr. Opin. Biotech. 4:526-530 (1993)	
	C4	Barbas et al., PNAS 88:7978-7982 (1991)	
	C5	Barbas et al., PNAS 89:4457-4461 (1992)	
	C6	Beerli et al., Proc. Natl. Acad. Sci U.S.A. 95:14628-14633 (1998)	
	C7	Beerli et al., Proc. Natl. Acad. Sci U.S.A. 97:1495-1500 (2000)	
	C8	Bellefroid et al., EMBO J. 12(4):1363-1374 (1993)	
	C9	Berg, J.M., Cell 57:1065-1068 (1989)	
	C10	Berg, J.M., PNAS 89:11109-11110 (1992)	
	C11	Berg, et al., Science 271:1081-1085 (1996)	

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Sheet	4	of	15	Attorney Docket Number	8325-0007.01 (S7-US2)
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Application Number	09/925,796
Filing Date	August 9, 2001
First Named Inventor	CASE
Group Art Unit	1631
Examiner Name	J. BRUSCA

## **OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

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	C12	Berg, J.M., Nature Biotechnology 15:323 (1997)	
	C13	Bergqvist et al., Nuc. Acids Res. 18(9):2715-2720 (1990)	
	C14	Blaese et al., Cancer Gene Therapy 2(4):291-297 (1995)	
	C15	Caponigro et al., PNAS 95:7508-7513 (1998)	
	C16	Celenza et al. Science 233:1175-1180 (1986)	
	C17	Cheng et al. Mol. Cellular Biol. 14(6):3842-3852 (1994)	
	C18	Cheng et al., J. Mol. Biol. 251:1-8 (1995)	
	C19	Choo et al., Nuc. Acids Res. 21(15):3341-3346 (1993)	
	C20	Choo et al., J. Mol. Biol. 273:525-532 (1997)	
	C21	Choo et al., Curr. Opin. Biotechnology 6:431-436 (1995)	
	C22	Choo, Y., Nature Struct. Biol. 5(4):264-265 (1998)	

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				Application Number	09/925,796
				Filing Date	August 9, 2001
				First Named Inventor	CASE
				Group Art Unit	1631
Examiner Name	J. BRUSCA				
Sheet	5	of	15	Attorney Docket Number	8325-0007.01 (S7-US2)

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	C23	Choo et al., Nature Struct. Biol. 5(4):253-255 (1998)			
	C24	Choo Y., Nuc. Acids. Res. 26(2):554-557 (1998)			
	C25	Choo et al., Curr. Opin. Struct. Biol. 7(1):117-125 (1997)			
	C26	Choo et al., Proc. Natl. Acad. Sci. U.S.A. 91:11,163-11,167 (1994)			
	C27	Choo et al. Proc. Natl. Acad. Sci. USA 91:11,168-11,172 (1994)			
	C28	Choo et al., Nature 372:642-645 (1994)			
	C29	Clarke et al., Science 282:2018-2022 (1998)			
	C30	Corbi et al., FEBS Letters 417:71-74 (1997)			
	C31	Croizatier et al., Genetics 131:905-916 (1992)			
	C32	Debs et al., J. Biological Chemistry 265(18):10189-10192 (1990)			
	C33	Desjarlais et al., Proteins Structure Function, and Genetics 12(2):101-104 (1992)			

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Application Number	09/925,796
Filing Date	August 9, 2001
First Named Inventor	CASE
Group Art Unit	1631
Examiner Name	J. BRUSCA
Attorney Docket Number	8325-0007.01 (S7-US2)

Sheet 6 of 15

## **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C34	Desjarlais et al., Proteins Structure Function, and Genetics 13(3):272 (1992)	
	C35	Desjarlais et al. Proc. Natl. Acad. Sci. USA 89:7345-7349 (1992)	
	C36	Desjarlais et al. Proc. Natl. Acad. Sci. USA 90:2256-2260 (1993)	
	C37	Desjarlais et al. Proc. Natl. Acad. Sci. USA 91:11,099-11,103 (1994)	
	C38	Dibello et al., Genetics 129:385-397 (1991)	
	C39	Donze et al. Blood 88:4051-4057 (1996)	
	C40	Elrod-Erickson et al., Structure 6(4):451-464 (1998)	
	C41	Elrod-Erickson et al., Structure 4(10):1171-1180 (1996)	
	C42	Fairall et al., Nature 366:483-487 (1993)	
	C43	Frankel et al., Cell 53:675 (1988)	
	C44	Friesen et al., J. Biological Chem. 272(17):10994-10997 (1997)	

Examiner Signature	Date Considered
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Sheet 7 of 15

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Application Number 09/925,796  
Filing Date August 9, 2001  
First Named Inventor CASE  
Group Art Unit 1631  
Examiner Name J. BRUSCA  
Attorney Docket Number 8325-0007.01 (S7-US2)

## **OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

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	C45	Friesen et al., Nature Structural Biology 5(7):543-546 (1998)	
	C46	Gogos et al., PNAS 93(5):2159-2164 (1996)	
	C47	Gossen et al., PNAS 89:5547-5551 (1992)	
	C48	Greisman & Pabo, Science 275:657-661 (1997)	
	C49	Hamilton et al., Nuc. Acids. Res. 23(2):277-284 (1995)	
	C50	Hamilton et al., Biochemistry 37:2051-2058 (1998)	
	C51	Hanas at al., Nuc. Acids Res. 17(23):9861-9870 (1989)	
	C52	Hayes et al., Biochemistry 31:11600-11605 (1992)	
	C53	Heinzel et al., Nature 387:43-48 (1997)	
	C54	Hirst et al., PNAS 89:5527-5531 (1992)	
	C55	Hoffman et al., Protein Science 2:951-965 (1993)	

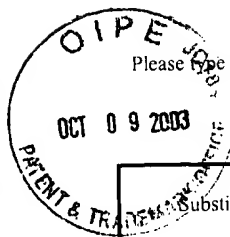
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Sheet	8	of	15	Attorney Docket Number	8325-0007.01 (S7-US2)

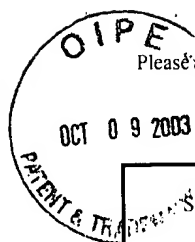
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	C56	Holstege et al. Proc. Natl. Acad. Sci. USA 96:2-4 (1999)		
	C57	Imhof et al., Molecular and Cellular Biology 19(1):194-204 (1999)		
	C58	Isalan et al. Proc. Natl. Acad. Sci. USA 94(11):5617-5621 (1997)		
	C59	Isalan et al. Biochemistry 37:12,026-12,033 (1998)		
	C60	Jacobs EMBO J. 11(12):4507-4517 (1992)		
	C61	Jamieson et al. Biochemistry 33:5689-5695 (1994)		
	C62	Jamieson et al. Proc. Natl. Acad. Sci. USA 93:12,834-12,839 (1996)		
	C63	Julian et al. FEBS Letters 331(1,2):43-48 (1993)		
	C64	Kamiuchi et al. Nucleic Acids Symposium Series 37:153-154 (1997)		
	C65	Kang et al. J. Biol. Chem. 275(12):8742-8748 (2000)		
	C66	Kim et al. J. Mol. Biol. 252:1-5 (1995)		

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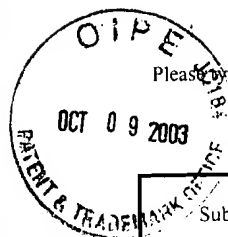
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	C67	Kim et al. Gene 203:43-49 (1997)	
	C68	Kim et al. Nature Structural Biology 3(11):940-945 (1996)	
	C69	Kim et al. Proc. Natl. Acad. Sci. USA 93:1156-1160 (1996)	
	C70	Kim et al. J. Biol. Chem. 272:29,795-29,800 (1997)	
	C71	Kim et al. Proc. Natl. Acad. Sci. USA 94:3616-3620 (1997)	
	C72	Kim et al. Proc. Natl. Acad. Sci. USA 95:2812-2817 (1998)	
	C73	King et al. Dict. Genetics. 5th ed., p.136 (1997)	
	C74	Kinzler et al. Nature 332:371-374 (1988)	
	C75	Klug Annals NY Academy of Sciences 758:143-160 (1995)	
	C76	Klug et al. FASEB Journal 9:597-604 (1995)	
	C77	Klug J. Mol. Biol. 293:215-218 (1999)	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	09/925,796
				Filing Date	August 9, 2001
				First Named Inventor	CASE
				Group Art Unit	1631
Examiner Name	J. BRUSCA				
Sheet	10	of	15	Attorney Docket Number	8325-0007.01 (S7-US2)

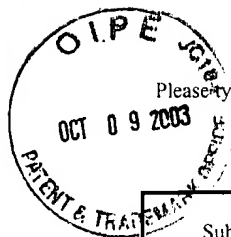
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	C78	Kothekar FEBS Letters 274(1,2):217-222 (1990)	
	C79	Kriwacki et al. Proc. Natl. Acad. Sci. USA 89:9759-9763 (1992)	
	C80	Kulda et al. EMBO Journal 9(5):1355-1364 (1990)	
	C81	Laird-Offringa et al. Nature Structural Biology 5(8):665-668 (1998)	
	C82	Liu et al. Proc. Natl. Acad. Sci. USA 93(21):11,831-11,836 (1996)	
	C83	Liu et al. Proc. Natl. Acad. Sci. USA 94:5525-5530 (1997)	
	C84	Mandel-Gutfreund et al. Nucleic Acids Res. 26(10):2306-2312 (1998)	
	C85	Margolin et al. Proc. Natl. Acad. Sci. USA 91:4509-4513 (1994)	
	C86	Mizushima et al. Nucleic Acids Res. 18(17):5322 (1990)	
	C87	Nakagama et al. Mol. Cell. Biol. 15(3):1489-1498 (1995)	
	C88	Nardelli et al. Nature 349:175-178 (1991)	

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				Group Art Unit	1631
Examiner Name	J. BRUSCA				
Sheet	11	of	15	Attorney Docket Number	8325-0007.01 (S7-US2)

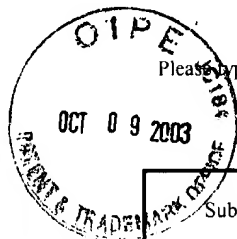
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	C89	Nardelli et al. Nucleic Acids Res. 20(16):4137-4144 (1992)	
	C90	Nekludova et al. Proc. Natl. Acad. Sci. USA 91:6948-6952 (1994)	
	C91	Orkin et al. Report & recommendations of the panel to assess . . . gene therapy (1995)	
	C92	Pabo et al. J. Biomolecular Struct. Dynamics 1:1039-1049 (1983)	
	C93	Pabo et al. Ann. Rev. Biochem. 53:293-321 (1984)	
	C94	Pabo Ann. Rev. Biochem. 61:1053-1095 (1992)	
	C95	Pavletich et al. Science 252:809-817 (1991)	
	C96	Pavletich et al. Science 261:1701-1707 (1993)	
	C97	Pengue et al. Nucleic Acids Res. 22(15):2908-2914 (1994)	
	C98	Pengue et al. J. Virology 69(10):6577-6580 (1995)	
	C99	Pengue et al. Proc. Natl. Acad. Sci. USA 93:1015-1020 (1996)	

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			Group Art Unit	1631	
			Examiner Name	J. BRUSCA	
Sheet	12	of	15	Attorney Docket Number	8325-0007.01 (S7-US2)

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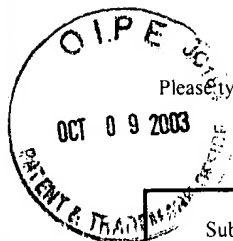
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	C100	Pomerantz et al. Proc. Natl. Acad. Sci. USA 92:9752-9756 (1995)	
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	C103	Qian et al. Biochemistry 31:7463-7476 (1992)	
	C104	Quigley et al. Mol. Endocrinology 6(7):1103-1112 (1992)	
	C105	Rauscher et al. Science 250:1259-1262 (1990)	
	C106	Ray et al. Proc. Natl. Acad. Sci. USA 88:7086-7090 (1991)	
	C107	Rebar et al. Science 263:671-673 (1994)	
	C108	Rebar et al. Meth. Enzymology 267:129-149 (1996)	
	C109	Reith et al. Proc. Natl. Acad. Sci. USA 86:4200-4204 (1989)	
	C110	Rhodes et al. Scientific American 268:56-65 (1993)	

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Examiner Name	J. BRUSCA				
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	C111	Rice et al. Science 270:1194-1197 (1995)	
	C112	Rivera et al. Nature Medicine 2(9):1028-1032 (1996)	
	C113	Rollins et al. Mol. Cell. Biol. 13(8):4776-4783 (1993)	
	C114	Saleh et al. Am. J. Human Genetics 52:192-203 (1993)	
	C115	Shi et al. Science 268:282-284 (1995)	
	C116	Shi et al. Chem. & Biol. 2(2):83-89 (1995)	
	C117	Shi et al. Biochemistry 35:3845-3848 (1996)	
	C118	Singh et al. Cell 52:415-423 (1988)	
	C119	Skerka et al. Immunobiology 198:179-191 (1997)	
	C120	South et al. Biochemistry 29:7786-7789 (1990)	
	C121	Spengler et al. EMBO J. 16(10):2814-2825 (1997)	

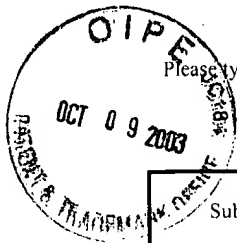
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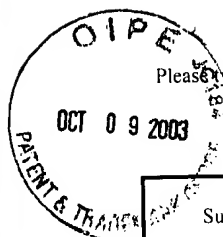
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	C122	Suzuki et al. Nucleic Acids Res. 22(16):3397-3405 (1994)	
	C123	Suzuki et al. Proc. Natl. Acad. Sci. USA 91:12,357-12,361 (1994)	
	C124	Swirnoff et al. Mol. Cell. Biol. 15(4):2275-2287 (1995)	
	C125	Taylor et al. Biochemistry 34:3222-3230 (1995)	
	C126	Thiesen et al. FEBS Letters 283(1):23-26 (1991)	
	C127	Thiesen et al. Biochem. Biophys. Res. Comm. 175(1):333-338 (1991)	
	C128	Thukral et al. Mol. Cell. Biol. 9(6):2360-2369 (1989)	
	C129	Thukral et al. Mol. Cell. Biol. 11(3):1566-1577 (1991)	
	C130	Thukral et al. Proc. Natl. Acad. Sci. USA 88:9188-9192 (1991)	
	C131	Thukral et al. Mol. Cell. Biol. 12(6): 2784-2792 (1992)	
	C132	Vortkamp et al. DNA Cell. Biol. 14(7):629-634 (1995)	

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	C133	Wang et al. Proc. Natl. Acad. Sci. USA 96:9568-9573 (1999)		
	C134	Webster et al. Proc. Natl. Acad. Sci. USA 88:9989-9993 (1991)		
	C135	Whyatt et al. EMBO Journal 12(13):4993-5005 (1993)		
	C136	Wilson et al. J. Biol. Chem. 267(6):3718-3724 (1992)		
	C137	Witzgall et al. Proc. Natl. Acad. Sci. USA 91:4514-4518 (1994)		
	C138	Wolfe et al. J. Mol. Biol. 285:1917-1934 (1999)		
	C139	Wright et al. Science 248:588-591 (1990)		
	C140	Wu et al. Proc. Natl. Acad. Sci. USA 92:344-348 (1995)		
	C141	Wu et al. J. Virol. 70(10):7132-7142 (1996)		
	C142	Yang et al. J. Immunol. Methods 183:175-182 (1995)		
	C143	Yu et al. Proc. Natl. Acad. Sci. USA 90:6340-6344 (1993)		

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